

CHAPTER 54

CAMPAIGN FINANCE — ELECTRONIC FILING — REGULATORY THRESHOLD AMOUNT

S.F. 135

AN ACT relating to campaign finance by requiring electronic filing of certain statements and reports and by raising the minimum dollar amounts that trigger certain regulations.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 68A.102, subsections 5, 12, and 18, Code 2015, are amended to read as follows:

5. “*Candidate’s committee*” means the committee designated by the candidate for a state, county, city, or school office to receive contributions in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, expend funds in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, or incur indebtedness on behalf of the candidate in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate in any calendar year.

12. “*County statutory political committee*” means a committee as described in section 43.100 that accepts contributions in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, makes expenditures in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, or incurs indebtedness in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate in any one calendar year to expressly advocate the nomination, election, or defeat of a candidate for public office.

18. “*Political committee*” means any of the following:

a. A committee, but not a candidate’s committee, that accepts contributions in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, makes expenditures in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, or incurs indebtedness in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate in any one calendar year to expressly advocate the nomination, election, or defeat of a candidate for public office, or to expressly advocate the passage or defeat of a ballot issue.

b. An association, lodge, society, cooperative, union, fraternity, sorority, educational institution, civic organization, labor organization, religious organization, or professional organization that accepts contributions in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, makes expenditures in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, or incurs indebtedness in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate in any one calendar year to expressly advocate the nomination, election, or defeat of a candidate for public office, or to expressly advocate the passage or defeat of a ballot issue.

c. A person, other than an individual, that accepts contributions in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, makes expenditures in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, or incurs indebtedness in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate in any one calendar year to expressly advocate that an individual should or should not seek election to a public office prior to the individual becoming a candidate as defined in subsection 4.

Sec. 2. Section 68A.201, subsection 2, paragraph e, Code 2015, is amended to read as follows:

e. A signed statement by the treasurer of the committee and the candidate, in the case of a candidate’s committee, which shall verify that they are aware of the requirement to file disclosure reports if the committee, the committee officers, the candidate, or both the committee officers and the candidate receive contributions in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, make expenditures in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate, or incur indebtedness in excess of ~~seven hundred fifty one thousand~~ one thousand dollars in the aggregate in a calendar year to expressly advocate the nomination, election, or defeat of any candidate for public office. In the case of political committees, statements shall be made by the treasurer of the committee and the chairperson.

Sec. 3. Section 68A.202, subsection 1, Code 2015, is amended to read as follows:

1. Each candidate for state, county, city, or school office shall organize one, and only one, candidate's committee for a specific office sought when the candidate receives contributions in excess of ~~seven hundred fifty~~ one thousand dollars in the aggregate, makes expenditures in excess of ~~seven hundred fifty~~ one thousand dollars in the aggregate, or incurs indebtedness in excess of ~~seven hundred fifty~~ one thousand dollars in the aggregate in a calendar year.

Sec. 4. Section 68A.202, subsection 2, paragraph a, Code 2015, is amended to read as follows:

a. A political committee shall not be established to expressly advocate the nomination, election, or defeat of only one candidate for office. However, a political committee may be established to expressly advocate the passage or defeat of approval of a single judge standing for retention. A permanent organization, as defined in section 68A.402, subsection 9, may make a one-time contribution to only one candidate for office in excess of ~~seven hundred fifty~~ one thousand dollars.

Sec. 5. Section 68A.203, subsection 2, paragraph b, Code 2015, is amended to read as follows:

b. A person, other than a candidate or committee officer, who receives contributions for a committee shall, not later than fifteen days from the date of receipt of the contributions or on demand of the treasurer, render to the treasurer the contributions and an account of the total of all contributions, including the name and address of each person making a contribution in excess of ~~ten~~ twenty-five dollars, the amount of the contributions, and the date on which the contributions were received.

Sec. 6. Section 68A.203, subsection 3, paragraph b, Code 2015, is amended to read as follows:

b. The name and mailing address of every person making contributions in excess of ~~ten~~ twenty-five dollars, and the date and amount of the contribution.

Sec. 7. Section 68A.401, subsection 1, unnumbered paragraph 1, Code 2015, is amended to read as follows:

All statements and reports required to be filed under this chapter shall be filed with the board as provided in this section and section 68A.402, subsection 1. The board shall post on its internet site all statements and reports filed under this chapter. For purposes of this section, the term "statement" does not include a bank statement.

Sec. 8. Section 68A.401, subsection 1, paragraphs a, b, c, and d, Code 2015, are amended to read as follows:

a. A state statutory political committee, a county statutory political committee, a political committee expressly advocating for or against the nomination, election, or defeat of a candidate for statewide office or the general assembly, and a candidate's committee of a candidate for statewide office or the general assembly shall file all statements and reports in an electronic format by 4:30 p.m. of the day the filing is due and according to rules adopted by the board.

~~b. Effective January 1, 2011, a county statutory political committee shall file all statements and reports in an electronic format by 4:30 p.m. of the day the filing is due and according to rules adopted by the board.~~

c. ~~Effective January 1, 2011, any~~ Any other candidate or committee involved in a county, city, school, or other political subdivision election that accepts monetary or in-kind contributions in excess of two thousand dollars, or incurs indebtedness in excess of two thousand dollars in the aggregate in a calendar year, or makes expenditures in excess of two thousand dollars in a calendar year to expressly advocate for or against a clearly identified candidate or ballot issue shall file all statements and reports in an electronic format by 4:30 p.m. of the day the filing is due and according to rules adopted by the board. The committee shall continue to file subsequent statements and reports in an electronic format until being certified as dissolved under section 68A.402B.

d. Any Effective January 1, 2016, any other candidate or political committee not otherwise required to file a statement or report in an electronic format under this section described in paragraphs "a" and "c" shall file the all statements and reports in either an electronic format as prescribed by rule or by one of the methods specified in section 68A.402, subsection 1 by 4:30 p.m. of the day the filing is due according to rules adopted by the board pursuant to chapter 17A.

Sec. 9. Section 68A.403, subsection 1, Code 2015, is amended to read as follows:

1. ~~Unless filed in an electronic format in accordance with section 68A.401, subsection 1, a report or statement required to be filed under this chapter shall be signed by the person filing the report.~~

Sec. 10. Section 68A.404, subsection 1, Code 2015, is amended to read as follows:

1. As used in this section, "*independent expenditure*" means one or more expenditures in excess of ~~seven hundred fifty~~ one thousand dollars in the aggregate for a communication that expressly advocates the nomination, election, or defeat of a clearly identified candidate or the passage or defeat of a ballot issue that is made without the prior approval or coordination with a candidate, candidate's committee, or a ballot issue committee.

Sec. 11. Section 68A.404, subsection 4, paragraph a, Code 2015, is amended to read as follows:

a. An independent expenditure statement shall be filed within forty-eight hours of the making of an independent expenditure in excess of ~~seven hundred fifty one thousand~~ dollars in the aggregate, or within forty-eight hours of disseminating the communication to its intended audience, whichever is earlier. For purposes of this section, an independent expenditure is made when the independent expenditure communication is purchased or ordered regardless of whether or not the person making the independent expenditure has been billed for the cost of the independent expenditure.

Sec. 12. Section 68A.501, Code 2015, is amended to read as follows:

68A.501 Funds from unknown source — escheat.

The expenditure of funds from an unknown or unidentifiable source received by a candidate or committee is prohibited. Such funds received by a candidate or committee shall escheat to the state. Any candidate or committee receiving such contributions shall remit such contributions to the board which shall forward it to the treasurer of state for deposit in the general fund of the state. Persons requested to make a contribution at a fundraising event shall be advised that it is illegal to make a contribution in excess of ~~ten~~ twenty-five dollars unless the person making the contribution also provides the person's name and address.

Sec. 13. Section 68B.2, subsection 5, Code 2015, is amended to read as follows:

5. "*Candidate's committee*" means the committee designated by a candidate for a state, county, city, or school office, as provided under chapter 68A, to receive contributions in excess of ~~seven hundred fifty one thousand~~ dollars in the aggregate, ~~expend funds in excess of seven hundred fifty one thousand~~ dollars in the aggregate, or incur indebtedness on behalf of the candidate in excess of ~~seven hundred fifty one thousand~~ dollars in the aggregate in any calendar year.

Approved April 24, 2015